

HB0240



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0240

Introduced 01/25/11, by Rep. Thomas Holbrook

SYNOPSIS AS INTRODUCED:

510 ILCS 70/3.01

from Ch. 8, par. 703.01

Amends the Illinois Humane Care for Animals Act. Provides that is not a violation of the cruel treatment provision of the Humane Care for Animals Act to trap, neuter or spay, vaccinate, and release or return an animal to the animal's original habitat by a caretaker to reduce the number of stray animals. Effective immediately.

LRB097 03212 CEL 43248 b

A BILL FOR

1 AN ACT concerning animals.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Humane Care for Animals Act is amended by
5 changing Section 3.01 as follows:

6 (510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

7 Sec. 3.01. Cruel treatment. No person or owner may beat,
8 cruelly treat, torment, starve, overwork or otherwise abuse any
9 animal.

10 No owner may abandon any animal where it may become a
11 public charge or may suffer injury, hunger or exposure. It is
12 not a violation of this Section to trap, neuter or spay,
13 vaccinate, and release or return an animal to the animal's
14 original habitat by a caretaker to reduce the number of stray
15 animals.

16 A person convicted of violating this Section is guilty of a
17 Class A misdemeanor. A second or subsequent conviction for a
18 violation of this Section is a Class 4 felony. In addition to
19 any other penalty provided by law, upon conviction for
20 violating this Section, the court may order the convicted
21 person to undergo a psychological or psychiatric evaluation and
22 to undergo any treatment at the convicted person's expense that
23 the court determines to be appropriate after due consideration

1 of the evidence. If the convicted person is a juvenile or a
2 companion animal hoarder, the court must order the convicted
3 person to undergo a psychological or psychiatric evaluation and
4 to undergo treatment that the court determines to be
5 appropriate after due consideration of the evaluation.

6 (Source: P.A. 92-650, eff. 7-11-02.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.